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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/761,853	01/18/2001	Yukie Kanie	NIT-249	6257

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EXAMINER

LUDWIG, MATTHEW J

ART UNIT PAPER NUMBER

2178

DATE MAILED: 09/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/761,853

Applicant(s)

KANIE ET AL.

Examiner

Matthew J. Ludwig

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 18 January 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

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### DETAILED ACTION

1. This action is responsive to communications: application received 01/18/01.
2. Claims 1-12 are pending in the case. Claims 1 and 7 are independent claims.

#### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moody et al., USPN 5,890,177 filed (4/24/1996).**

**In reference to independent claim 1, Moody teaches:**

A process of comparing one paragraph against another paragraph to see if they are the same or similar enough that we consider them the same paragraph from the two documents is illustrated (compare to "*extracting common portions included commonly in both the original version and the revised version...*"). See column 9, lines 5-30.

The reference further discloses a routine that examines textual characters; font attributes, which simply make the words look different; are ignored (compared to "*said common portions each composed of a structure and texture character strings*"). See column 9, lines 15-18.

When the comparison process is completed, the consolidated markup document will consist of a plurality of paragraph sets. Each paragraph in the original document will be included in a set together with edited paragraphs from each of the edited copies (compare to "*difference portions specific to either the original version or the revised version*"). See column 6, lines 44-

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67. The reference provides a proficient means of extracting common portions as well as difference portions of an original document and a revised document.

The reference teaches the creation of a final document. An author creates an original document and has the original document reviewed by other editors. The author then gathers the edits and consolidates the edits to produce a final document (compare to "*creating said multi-version document based on said extraction*"). See column 4, lines 7-15.

Each paragraph has a special tag at the beginning of the paragraph with the editor's initials and a number indicating a paragraph set to which the paragraph belongs. The reference suggests separate identifiers that distinguish the version and a paragraph set to which each edit belongs. The reference fails to explicitly state version identifiers and node identifiers; however, the special tags and paragraph set symbols offer a similar means of identifying versions and nodes of the common portion in both the original version and the revised version. As presently claimed, it is unclear to the Examiner what the function of the node identifier is within the limitations of the claim. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Moody and utilized the special tags, editor's initials, and paragraph set numbers, to produce a multi-version document and provide similar functions as that of description tags and node identifiers (as presently claimed), because it would have given the author multiple ways to examine edits and identify ownership characteristics of those edits.

**In reference to dependent claim 2, Moody teaches:**

Each of the paragraphs in the edited original document is compared to the edited document copy 2 containing edits by the second editor. If edited paragraph copies corresponding

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to original paragraphs are found in the second edited document, they are included with the paragraph sets containing the original document paragraph and any edited paragraph from edited copy number 1. See column 6, lines 42-55.

**In reference to dependent claim 3, Moody teaches:**

In the case of edits made in word processing programs other than WordPro, a comparison between the documents can still be made, but the identity of the individual editors who made the comments may not be available. See column 4, lines 55-64.

**In reference to dependent claim 4, Moody teaches:**

Each of the paragraphs in the edited original document is compared to the edited document copy 2 containing edits by the second editor. If edited paragraph copies corresponding to original paragraphs are found in the second edited document, they are included with the paragraph sets containing the original document paragraph and any edited paragraph from edited copy number 1. See column 6, lines 42-55.

**In reference to dependent claim 5, Moody teaches:**

The reference teaches the creation of a final document. An author creates an original document and has the original document reviewed by other editors. The author then gathers the edits and consolidates the edits to produce a final document (compare to “*creating said multi-version document based on said extraction*”). See column 4, lines 7-15.

**In reference to dependent claim 6, Moody teaches:**

In the case of edits made in word processing programs other than WordPro, a comparison between the documents can still be made, but the identity of the individual editors who made the comments may not be available. See column 4, lines 55-64.

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In reference to claims 7-12, the claims reflect the system comprising instructions used for performing the methods as claimed in claims 1-6, respectively, and in further view of the following, is rejected along the same rationale.

***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


Ching                      USPN 6,560,620                      filed (8/3/1999)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew J. Ludwig whose telephone number is 703-305-8043. The examiner can normally be reached on 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on 703-308-5465. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ML  
September 23, 2004

  
STEPHEN S. HONG  
PRIMARY EXAMINER